

EXHIBIT 5

Curated *Curriculum Vitae*
of Marc J. Randazza

EDUCATION

Legum Magister (LLM)

2014 | Università di Torino Facoltà di Giurisprudenza

International Intellectual Property Law

LLM program administered by

The University of Turin and World Intellectual

Property Organization

Advisor: Prof. Marco Ricolfi

Juris Doctor (JD)

2000 | Georgetown University Law Center

Focus on First Amendment and media law

Master of Arts in Mass Communication (MAMC)

2003 | University of Florida

Focus on research in media studies, branding,

public relations, and advertising as well as

publication and teaching in First Amendment studies

Thesis Chair: William F. Chamberlin

Bachelor of Arts in Journalism (BA) with honors

1994 | University of Massachusetts

Focus on media law studies

RELEVANT LEGAL PRACTICE EXPERIENCE

RANDAZZA LEGAL GROUP, Managing Partner | July 2009 to Present

Litigation and Appellate Responsibilities

- First Amendment litigation in federal and state courts
- Nationwide litigation on behalf of broadcast company seeking access to court proceedings
- Copyright, trademark, and Patent related litigation in federal and state courts and administrative proceedings
- Defamation and Anti-SLAPP litigation nationwide
- Intermediary liability litigation under the CDA (47 U.S.C. § 230) and the DMCA (17 U.S.C. § 512)
- Appellate practice in state and federal appellate courts on free speech cases and intellectual property cases
- Litigation consulting in foreign actions in order ensure enforceability of foreign defamation claims under 28 U.S.C. §§ 4101-4105
- International arbitrations involving intellectual property disputes

Transactional Responsibilities

- Providing advice to clients on First Amendment, copyright, trademark, domain name law, internet law, and entertainment law
- Trademark registration practice in United States, Canada, and Europe
- Negotiating and drafting intellectual property agreements including right of publicity, non-competition, and trade secret protection agreements
- Drafting online affiliate agreements, terms & conditions, and privacy policies
- Providing advice on state, federal, and international regulatory matters
- Served as General Counsel to numerous companies during this period.

WESTON, GARROU, WALTERS & MOONEY, Partner | July 2004 to July 2009**Litigation and Appellate Responsibilities**

- First Amendment litigation in federal and state courts
- Trademark and copyright infringement litigation in federal court
- Defamation and Anti-SLAPP litigation in federal and state courts
- Appellate practice in state and federal appellate courts
- Domain name disputes under the UDRP
- Domain name disputes before international bodies outside of the UDRP

Transactional Responsibilities

- Trademark registration practice
- Negotiating and drafting intellectual property agreements including right of publicity transactions, non-competition agreements, and trade secret protection agreements
- Drafting online affiliate agreements, terms & conditions, and privacy policies
- Drafting website reviews for clients to assist in intellectual property protection, litigation avoidance, and compliance with federal law

BECKER & POLIAKOFF, PA, Associate | January 2003 – June 2004**Litigation and Appellate Responsibilities**

- Providing pre-publication review, and libel defense counsel to publications
- Handling zoning and First Amendment issues
- Advising clients on FCC regulations
- Advising clients on copyright issues

Real estate/corporate/community association practice

- Corporate counsel to condominium, cooperative, and homeowners associations
- Assisting clients with resolution of construction defect, maintenance, and covenant enforcement disputes
- Defamation counseling to condo and homeowners association boards

CLERKSHIPS AND FELLOWSHIPS

UNIVERSITY OF FLORIDA, Brechner Center for Freedom of Information | Gainesville, Florida,
August 2000 - May 2002

- Research assistant in the Brechner Center for Freedom of Information
- Taught classes for Professors Chance and Alexander on media law, including coverage of copyright, trademark, obscenity, libel, campaign finance, and constitutional law
- Assisting in the production of a media law case book

RYDIN & CARLSTEN AVOKATBYRÅ AB, Summer Associate | Stockholm, Sweden, Summer 1999

- Researching and writing memoranda for the firm's intellectual property law practice
- Second-chair to a case in the International Court of Arbitration resulting in a \$2.8 million verdict in a commercial dispute

SUPREME COURT OF VERMONT, Judicial Law Clerk | Montpelier, Vermont, Summer 1998

- Writing memoranda of law for Justice Denise Johnson
- Writing draft opinions that were later adopted and published by the Supreme Court

LEGAL TEACHING EXPERIENCE

Università di Torino Facoltà di Giurisprudenza | Turin, Italy, October 2015 to present

- Serve as thesis advisor to LLM Students in the International Intellectual Property Law program sponsored by the World Intellectual Property Organization
- Thesis advisor to Alysia Arcos Ziemer (Ecuador) and Pedro Silveira Tavares (Brazil)
Joint thesis on morality and trademarks, the South American approach
Collaborated with students to co-author derivative work that was accepted for publication
- Thesis advisor to Elizabeth Lenjo (Kenya)
Traditional Knowledge as a Source of Inspiration in the Fashion Industry
- Thesis advisor to Sun Tianchu (China)
Reasoning morality behind life patenting - A perspective of Chinese traditional values

Barry University School of Law | Orlando, Florida, August 2006 to May 2009

Courses Taught:

- First Amendment Law, 2007 – 2009
- Trademark Law, 2006 – 2009
- Entertainment Law, 2007 – 2009
- Copyright Law, 2006 – 2007
- Sports Law, 2007

Additional Activities and Responsibilities:

- Serving as a supervised research advisor to multiple students for First Amendment and intellectual property publications and research
- Assisting with First Amendment moot court competition

Served as advisor to a student for independent study writing project: Tara Warrington, *Harry Potter and the Doctrine of Fair Use: Conjuring a New Copyright Complaint*, 10 FLORIDA COASTAL LAW REVIEW 622 (2009)

DISPUTE RESOLUTION QUALIFICATIONS, TRAINING, AND EXPERIENCE

Nevada State Courts | Eighth Judicial District, Nevada

- Appointed to Nevada Justice Court as *pro tempore* judge in 2017. Preside over cases 1 to 2 days per month in Clark County Courts.
- Arbitrator for Court Annexed Arbitration Program – Currently serve as court-appointed arbitrator for cases in Las Vegas.

WIPO Advanced Workshop on Domain Name Dispute Resolution | Geneva, 2014

Participated in training on substantive and procedural issues in UDRP process

ACADEMIC AND LEGAL PUBLICATIONS

- *Morality and Trademarks: The South American Approach*, 41 SUFFOLK TRANSNAT'L L. REV. ____ (2017) (publication in Spring 2017) (co-authored with Alysia Ziemer, and Pedro Tavares)
- *The Freedom to Film Pornography*, 17 NEVADA L.J. 100 (2016)
- *Nevada's Anti-SLAPP Law Update*, 24 NEVADA LAWYER 50 (Sept. 2016)
- *Lenz v. Universal: A Call to Reform Section 512(f) of the DMCA and to Strengthen Fair Use*, 18 VANDERBILT J. ENT. & TECH LAW 101 (2016)
- *Ulysses - An Mighty Hero in the Fight for Freedom of Expression*, 11 U. MASS. L. REV. 268 (2016)
- *Kosovo's Digital Independence: Time for Kosovo's ccTLD*, 33 WISCONSIN INT'L L.J. 667 (2016)
- *Freedom of Expression and Morality-Based Impediments to the Enforcement of Intellectual Property Rights*, 16 NEVADA L.J. 107 (2015)
- "War of the Words": Differing Canadian and American Approaches to Internet Defamation", in Todd L. Archibald and Randall Scott Echlin, eds., ANNUAL REVIEW OF CIVIL LITIGATION IN CANADA 2015, Toronto: Thomson Carswell, 2015, 403 (co-authored with Antonin I. Pribetic)
- *The Legal Status of Making Adult Films in Nevada*, 23 NEVADA LAWYER 20 (May 2015)
- *Nevada's New Anti-SLAPP Law: The Silver State Sets the Gold Standard*, 21 NEVADA LAWYER 7 (Oct. 2013)
- *The Need for a Unified and Cohesive National Anti-SLAPP Law*, 91 OR. L. REV. 627 (2013)
- *Gambling in America's Senior Communities*, 8 MARQ. ELDER ADVISOR 343 (2007)
- (co-authored with Dan Russel)
- *The Florida Supreme Court Dulls the Edge of Rule 1.420(e)*, 80 FLA. B.J. 39 (2006)
- *Condo Casino! Gambling in Florida Community Associations*, 79 FLA. B.J. 8 (2005)
- *The Other Election Controversy of Y2K: Core First Amendment Values and High-Tech Political Coalitions*, 82 WASH. U. L. Q. 143 (2004)
- *Getting to Yes With Terrorists*, 2002 L. REV. M.S.U.-D.C.L. 823. (2002)
- *Breaking Duverger's Law is not Illegal: Strategic Voting, the Internet and the 2000 Presidential Election*, 2001 UCLA J.L. & TECH. 6. (2001)
- *The Constitutionality of Online Vote Swapping*, 34 LOYOLA L.A. L. REV. 1297 (2001)

CNN LEGAL COLUMNS

- *Rock band The Slants' victory in court secures your rights*, CNN, June 19, 2017
- *Why Turkish embassy violence is unforgivable*, CNN, May 19, 2017
- *Jail for Laughing Protester is an Outrage*, CNN, May 5, 2017
- *Dear Berkeley: Even Ann Coulter deserves free speech*, CNN, April 24, 2017
- *Does Melania Trump's libel suit really threaten a free press?* CNN, Dec. 29, 2016
- *Is Peter Thiel right about Gawker?* CNN, May 26, 2016
- *Texting cop a victim of thought police?* CNN, April 28, 2016
- *Defend Donald Trump's right to free speech*, CNN, Mar. 14, 2016

- *Is the First Amendment safe from Donald Trump?*
CNN, Feb. 28, 2016
- *For Missouri Professor, the Law Bites Back,*
CNN, Jan. 27, 2016
- *Passenger Who Beat His Uber Driver Should Drop His Countersuit,* CNN, Jan. 21, 2016
- *We Don't Shoot People For Bigoted Views,*
CNN, May 4, 2015
- *Decision on Asian-American Band's Name is Wrong,* CNN, Apr. 23, 2015
- *What's Wrong with Saying the Pledge in Arabic?*
CNN, Mar. 23, 2015
- *What We Risk When We Ban Racist Speech,*
CNN, Mar. 20, 2015
- *Why Schools Should Observe "Day of the Dude,"*
CNN, Mar. 6, 2015
- *Should We Always Believe the Victim?*
CNN, Dec. 7, 2014
- *ESPN's Stephen Smith is Entitled to His Opinions,*
CNN, Aug. 4, 2014
- *Why Redskins Decision is Wrong,*
CNN, June 21, 2014
- *Posting Elliot Rodger's Video is Legal, but is it Right?* CNN, May 29, 2014
- *We Need a "Right to be Forgotten,"*
CNN, May 15, 2014
- *What Happened to Sterling was Wrong,*
CNN, Apr. 30, 2014
- *N.J. Texting Ruling is Not What You Think,*
CNN, Aug. 30, 2013
- *Chick-fil-A and Free Speech,* CNN, July 31, 2012
- *It's Un-American to Silence Rush Limbaugh,*
CNN, Mar. 12, 2012

SPEAKING ENGAGEMENTS

- Michigan State Univ. Summer Law Program, International Intellectual Property and Morality Issues, (Opatija, Croatia July 29, 2017)
- European Law Students' Ass'n Summer Institute, The Right to Be Forgotten – US and European comparative legal views, (Trieste, Italy July 26, 2017)
- European Law Students' Ass'n Summer Institute, Theories of Free Speech in the US and Europe, (Trieste, Italy July 26, 2017)
- Trademark Law and the First Amendment, University of New Hampshire Law School, (Concord, NH, Apr. 20, 2017)
- First Amendment Lawyers Ass'n, Chaired Winter 2017 Meeting (San Diego, Feb. 7-10, 2017)
- Conference of the Regional Council of Advocates in Warsaw, Section of American Law, *Legal Aspects of Doing Business in the United States* (Warsaw, Poland, Nov. 10, 2016)
- European Law Students' Ass'n Spring Institute, Intro to Media Law, Panel on Freedom of Expression, and Presentation on Bias in the Media and Free Expression (Trieste, Italy May 15-22, 2016)
- Internet Law Leadership Conference, *Abuse of the Digital Millennium Copyright Act*, (Las Vegas, May 13, 2016)
- First Amendment Lawyers Ass'n, *Morality and IP Rights*, (Austin, TX, Feb. 12, 2016)
- Internet Law Leadership Conference, *Anti-SLAPP Statutes and Litigation Strategies*, (Las Vegas, Nov. 19, 2015)

- European Law Students' Ass'n Summer Institute, *Freedom of Expression and Morality-Based Impediments to the Enforcement of Intellectual Property Rights* (Trieste, Italy July 28, 2015)
- European Law Students' Ass'n Summer Law Institute, *Global Freedom of Expression and New Media, an American Perspective* (Trieste, Italy July 27, 2015)
- James Joyce School, *Joyce's Ulysses, an Unsung Hero in the Fight for Freedom of Expression*, (Trieste, Italy July 3, 2015)
- Virgin Islands Bar Association, *Keynote Speech – Anti-SLAPP laws and freedom of speech in the Virgin Islands* (US Virgin Islands Dec. 13, 2014)
- Virgin Islands Bar Association, *The Law and Ethics of Social Media*, (US Virgin Islands Dec. 13, 2014)
- First Amendment Lawyers Ass'n, *A Comparative Analysis of Canadian and American Defamation Law* (Toronto, Canada July 2014)
- Beverly Hills Bar Ass'n, *Panel: Pornography, Coercion, and the Courts: The Rise and Fall of Copyright Trolling*, Discussion with Morgan Pietz on ethical enforcement of copyright and Prenda Law (Los Angeles, CA May 2, 2014)
- The Stanford Technology Law Review 2013 Symposium: *Privacy Challenges in the Internet Age*, Lecture on Internet Torts & Cybercrimes (Stanford, CA April 11, 2014)
- Above The Law Attorney@Blog Conference, Lecture on copyright, trademark, defamation, and general Internet issues to numerous attorneys and members (New York, NY Mar. 2014)
- First Amendment Lawyers' Ass'n, Lecture on updates in defamation law and related litigation in prominent cases across the country (Philadelphia PA July 2013)
- Nevada Legislative Session 2013, *Drafted, lobbied, and successfully argued for the passage of a revised anti-SLAPP statute in Nevada and revision to proposed human trafficking law with potential First Amendment implications for production of adult entertainment* (Carson City, NV May 2013)
- Libertarian Party of Nevada Convention, Lecture on freedom of expression and First Amendment matters, including the rights of the adult entertainment industry (Las Vegas, NV Apr. 2013)
- First Amendment Lawyers' Association, Lecture on updates, development, and application on Anti-SLAPP statutes and defamation cases across the country (New Orleans, LA Feb. 2013)
- First Amendment Lawyers' Association, Lecture on updates, development, and application on Anti-SLAPP statutes across the country (Chicago, IL July 2012)
- CineKink Film Festival, Lecture on First Amendment and intellectual property issues in the adult entertainment industry (Las Vegas, NV June 2012)
- American Intellectual Property Law Ass'n, Lecture on updates, development, and application on Anti-SLAPP statutes across the country (Austin, TX Spring Meeting 2012)
- First Amendment Lawyers' Ass'n, Lecture on updates, development, application of Anti-SLAPP statutes (San Diego, CA Feb. 2012)
- First Amendment Lawyers' Ass'n, Lecture on issues in BitTorrent litigation (Minneapolis, MN July 2011)
- First Amendment Lawyers' Ass'n, Lecture on copyright litigation and the errors present in current anti-piracy litigation models (Washington, D.C. Feb. 2011)

- XBIZ LA Conference, Lecture on intellectual property law and piracy litigation issues (Los Angeles, CA Feb. 2011)
- InterNext Conference, Panel discussion concerning online adult entertainment issues, focusing on antipiracy litigation trends and strategies (Las Vegas, NV Jan. 2011)
- First Amendment Lawyers' Ass'n, Lecture on the intersection of intellectual property law and free speech (San Antonio, TX Feb. 2010)
- International Trademark Ass'n, Table topics leader (Boston, MA May 2010)
- First Amendment Lawyers' Ass'n, Lecture on the intersection of intellectual property law and free speech (Vancouver, BC July 2009)
- First Amendment Lawyers' Ass'n, Lecture on the intersection of intellectual property law and free speech (New Orleans Feb. 2009)
- Adult Entertainment Expo, Lecture on intellectual property, brand management, free speech issues and section 2257 (Las Vegas, NV Jan. 2009)
- First Amendment Lawyers' Ass'n, Lecture on U.S. trademark law and domain name disputes (San Francisco, CA July 2008)
- Seminole County Inns of Court, Lecture judges and lawyers on defamation law issues (Orlando, FL Feb. 10, 2008)
- The International Institute of Communications Annual Meeting, Lecture on US media law to an audience of international businesspeople, government officials, and academics. (Singapore Oct. 1–4, 2001)
- Friedrich Ebert Stiftung and Nanyang Technological University *Conference on "Media, Civil Society and Good Governance in Southeast Asia,"* Lecture on media law in the post-September 11th United States. (Singapore Nov. 7–9, 2001)
- Ass'n for Education in Journalism and Mass Communication (AEJMC) southeast colloquium, Lecture on Internet law (Columbia, SC Mar. 8–10, 2001)

SELECTED OTHER PUBLICATIONS

- *2016 Presidential Race: A Closer Look*, AVN, Mar. 2016
- *What the Slants Case Means for the Adult Industry*, AVN, Feb. 16, 2016
- *What the Adult Industry Owes to James Joyce*, XBiz, Dec. 11, 2015
- *Adult Biz & the Law: Violations and the Violated*, XBiz, Jan. 23, 2015
- *Is It Legal to Shoot Porn in Your State?* XBiz, Mar. 30, 2014
- *Copyright Ruling May have Implications for Adult Industry*, XBiz, Mar. 1, 2014
- *Reversal of Fortune in Taiwan for Porn Producers*, XBiz, Feb. 25, 2014
- *The Case for Relocating Porn Production to Las Vegas*, XBiz, Aug. 6, 2012
- *Challenging the Copyrightability of Porn*, XBiz, Apr. 19, 2012
- *Malign Neglect*, ADULT VIDEO NEWS, Jan. 2012
- *Are You Guilty If Pirates Use Your Internet?* TORRENTFREAK, Aug. 6, 2011
- *XXX Revenue Reporting?*, XBIZ WORLD, July 28, 2010
- *Standard Deviation: What's Obscene in an Online World?*, ADULT VIDEO NEWS, Feb. 1, 2010

- *A Domain by Any Other Name...*, ADULT VIDEO NEWS, Dec. 1, 2008
- *2257 Regs a Boon to Patriotic Adult Film Producers*, ADULT VIDEO NEWS, Jun. 2, 2005
- *Foreign Content and Section 2257*, XBIZ, Aug. 4, 2005
- *Republicans Save US Jobs (unwittingly)*, XBIZ, May 31, 2005
- *Commentary for Congress*, ADULT VIDEO NEWS, Mar. 2005
- *Kiffmeyer – Too Partisan for the Job?* MINN. LAW & POLITICS, Summer 2004
- *Copyright and the Clubhouse*, CONDO MANAGEMENT, Nov. 2003
- *Character Counts: Defamation Law for Community Associations*, COMMUNITY UPDATE, Jan. 2003
- *Copyright Issues for Free Fall Photographers*, SKYDIVING MAGAZINE, Oct. 2003
- *Neither is a Fish or a Bird (the Prisco Decision)*, 25 ACTIONLINE 4, (2003)
- *Satellite Dishes and Community Associations*, CONDO MANAGEMENT, (2003)
- *The Forgotten Electoral Controversy*, INTERMEDIA, Apr. 2001

SELECTED MEDIA APPEARANCES

- Deutsche Welle TV: “Follow the Hashtag: #BlockedByTrump” (June 16, 2017)
- ABC/KTNV Las Vegas: “How to spot counterfeit Raiders merchandise in Las Vegas” (April 6, 2017)
- CNN: “Bannon: Media Should ‘Keep its Mouth Shut’” (Jan. 26, 2017)
- Sun Sentinel: “Delray Beach cites concern of link between tattoo shops and crime in justifying new city law” (Nov. 5, 2016)
- KVVU Fox5 Las Vegas: “Public defender refuses to remove ‘Black Lives Matter’ pin in courtroom” (Sept. 21, 2016)
- NPR: “Billionaires And Free Speech,” *On Point with Tom Ashbrook* (June 1, 2016)
- Public Radio International: “Why a lawyer wrote a legal brief partially in Klingon,” *The World in Words* (May 6, 2016)
- America Matters Media: *Peel Off Labels*, (Mar. 7, 2016)
- The Christian Science Monitor: *Is ‘Vote Trump’ Chalk Message a Threat? A Test for Campus Culture* (Mar. 25, 2016)
- CBS News: Roca Labs Case (Oct. 1, 2015)
- The Daily Share: *Discussing the Redskins Trademark Decision* Headline News Network (July 9, 2015)
- Ralston Reports: *Anti-SLAPP?* (Apr. 23, 2015)
- Ralston Reports: *First Amendment and SLAPP Cases* (Aug. 7, 2014)
- CNN: *Michael Smerconish Show: Sterling, Sam and Free Speech* (May 17, 2014)
- CNN Newsroom: *Was Leak of NBA Owner’s Rant ‘Morally Wrong’* (May 1, 2014)
- CNN: *Legal View with Ashleigh Banfield: What’s Next for Donald Sterling?; The First Amendment and a Technological Surveillance Society* (Apr. 30, 2014)
- *Democracy Now!:* *Steubenville Rape Trial* (Feb. 2013)
- CNN, *Discussing the Steubenville Rape Case* (Feb. 2013)
- Reason TV: *Discussing Steubenville Rape Case* (Feb. 2013)
- *Crime, Inc.:* *Discussing Copyright Law* (CNBC Aug. 29, 2012)

- NBC Las Vegas: *Internet providers turn to attorneys to protect content* (KSNV July 25, 2013)
- NBC Bay Area: *Porn Copyright Trolls* (July 3, 2012)
- National Public Radio: *On the Media, Combating “Bad” Speech with More Speech* (Apr. 6, 2012)
- KLAS-TV: *Economic Diversity By Legalizing Marijuana* (Mar. 26, 2012)
- *State of Nevada, The End of Righthaven*, (Nevada Public Radio Mar. 22, 2012)
- *Michael Savage: First Amendment Attorney Speaks About Freedom of Speech* (Mar. 14, 2012)
- *Cyber Law and Business Report: Randazza, Righthaven, and Roger Williams* (Dec. 21, 2011)
- *Congress Weighs Law Against Some Lawsuits* (National Public Radio Apr. 2, 2010)
- *Cyber Harassment and the Law* (National Public Radio Mar. 3, 2009)
- Fox 35 Orlando: *Kids Can’t Play Outside Condos* (Mar. 3, 2009)
- Fox 35 Orlando: *New Year’s Festivities and the Law* (Dec. 30, 2008)
- Fox 35 Orlando: *Teacher to Blame Hormones* (Nov. 19, 2008)
- Fox 35 Orlando: *Target Mis-prices Car Seats* (Nov. 18, 2008)
- *Lisa Macci’s The Justice Hour: Discussing new Sex Laws and The Theory of Intentional Sex Torts* (WWNN July 14, 2008)
- *The Curtis Sliwa Show, discussing the Bauer v. Wikipedia defamation case, and Section 230* (WABC: New York July 1, 2008)
- *Lisa Macci’s The Justice Hour: Discussing the Connection Distribution case and Section 2257* (WWNN May 5, 2008)
- *Fox and Friends: The First Amendment and the “Lyrical Terrorist”* (Fox News Nov. 10, 2007)
- *Fox and Friends: Discussing Bradenton High School “Body Painting” Issue* (Fox News Oct. 18, 2007)
- *Lisa Macci’s The Justice Hour: SLAPP suits and attorney ethics* (WWNN Jul. 2, 2007)
- *Fox and Friends: Discussing Don Imus’ Comments about the Rutgers’ Basketball Team* (Fox News Apr. 10, 2007)
- *Lisa Macci’s The Justice Hour: Restrictions on Attorney Speech* (WWNN Jan. 22, 2007)
- *CNBC: On the Money, Discussing online gambling and prosecutions* (Jan. 16, 2007)
- *Domain Masters: Discussing domain law, gaming law, and First Amendment law with Monte Cahn*. (Dec. 22, 2006)
- *Bess Kargman: “Blogsuits” What Effect will Libel Threat Have on the Blogosphere?* (Oct. 23, 2006)
- *The Lineup: Video Games and the First Amendment* (Fox News Sept. 30, 2006)
- *The Lineup: First Amendment and Prisons* (Fox News Sept. 9, 2006)
- *Heartland with John Kasich: First Amendment Issues and Public Schools* (Fox News Dec. 30, 2005)
- *Dayside: Commentary on Church-State Issues* (Fox News Nov. 9, 2005)
- *Heartland with John Kasich: Commentary on Separation of Church and State* (Fox News Oct. 15, 2005)
- *Live: Commentary and Debate on Online Vote Pairing* (Fox News Oct. 17, 2004)
- *Bob Frantz Show: News/Talk 1370: Discussing Election Law Issues* (Oct. 10, 2004)

REPORTED CASES

- *Matal v. Tam*, No. 15-1293, 582 U.S. ____ (June 19, 2017) Counsel for *amicus curiae* successfully arguing that Lanham Act restriction on trademark registration is unconstitutional
- *Tobinick v. Novella*, 848 F.3d 935 (11th Cir. 2017) Defended application of California Anti-SLAPP statute in federal court and fended off attempt to use Lanham Act to circumvent First Amendment.
- *Shapiro v. Welt*, 389 P.3d 262 (Nev. 2017) Counsel for *amicus curiae* defending the constitutionality of the Nevada Anti-SLAPP statute.
- *Deans v. Las Vegas Clark Cnty. Library Dist.*, 2016 U.S. Dist. LEXIS 156702 (D. Nev. Nov. 10, 2016) First Amendment case challenging a restrictive “free speech zone” in a public forum.
- *Tobinick v. Novella*, 207 F. Supp. 3d 1332 (S.D. Fla. Sep. 8, 2016) Award of Anti-SLAPP fees in a defamation case.
- *iQTAXX v. Boling*, No. A-15-728426-C, 44 Med. L. Rptr. 1561 (Nev. Dist. Ct. April 4, 2016) Won an Anti-SLAPP for an online review.
- *Op. Corp. v. Roca Labs, Inc.*, 312 F.R.D. 663 (M.D. Fla. 2016) Winning motion to reconsider dismissal of claims under 17 U.S.C. § 512(f)
- *Bilzerian v. Dirty World and TMZ Productions*, 2015 Nev. Dist. LEXIS 4 (2015) Prevailed in Anti-SLAPP dismissal for TMZ.
- *In re Tam*, 808 F.3d 1321 (Fed. Cir. 2015). Counsel for *amicus curiae*, First Amendment Lawyers’ Ass’n in case invalidating section 2(a) of the Lanham Act on First Amendment grounds.
- *Ellora's Cave Publ., Inc. v. Dear Author Media Network, LLC*, 308 F.R.D. 160 (N.D. Ohio 2015)
- *Van Voorhis v. Comins*, 178 So. 3d 970 (Fla. 5th DCA 2015) Prevailing in a venue appeal in a First Amendment case.
- *Tobinick v. Novella*, 142 F. Supp. 3d 1275 (Sept. 30, 2015) Successfully defending where plaintiff sought to circumvent the First Amendment by claiming an academic article was “commercial speech.”
- *Roca Labs, Inc. v. Consumer Op. Corp.*, 140 F. Supp. 3d 1311 (Oct. 21, 2015) Successfully defending a consumer review site from defamation claims as immune under 47 U.S.C. § 230.
- *Tobinick v. Novella*, 108 F. Supp. 3d 1299 (S.D. Fla. 2015) Successfully employing California’s Anti-SLAPP statute in a Florida federal court on choice of law analysis.
- *NML Capital, Ltd. v. Republic of Argentina*, 2015 U.S. Dist. LEXIS 20722 (D. Nev. Feb. 19, 2015) Successfully opening court records to inspection by a journalist on First Amendment grounds.
- *Roca Labs, Inc. v. Consumer Opinion Corp.*, 2014 U.S. Dist. LEXIS 161132 (Oct. 28, 2014) Defeating a plaintiff’s motion for a preliminary injunction as an unlawful prior restraint on First Amendment grounds.
- *Chevaldina v. R.K./FL Mgmt.*, 133 So. 3d 1086 (Fla. 3d DCA 2014) Successfully appealing an unlawful prior restraint on First Amendment grounds.
- *Expert Witness Case: Calista Enters. v. Tenza Trading*, 43 F. Supp. 3d 1099 (D. Or. 2014) Serving as expert witness in a trademark case.

- *Jones v. Dirty World Entm't Recordings*, 755 F.3d 398; 42 Media L. Rep. 1984 (6th Cir. 2014). Counsel for *amicus curiae* in successful appeal on § 230 immunity.
- *Comins v. VanVoorhis*, 135 So. 3d 545; 42 Media L. Rep. 2021 (Fla. 5th DCA 2014) Appeal establishing that bloggers are entitled to the same protection as traditional media in Florida.
- *Liberty Media Holdings v. Henson*, 516 F. App'x. 673 (9th Cir. 2013) Successful appeal in copyright case.
- *Suen v. Las Vegas Sands, Inc.*, District Court, Clark County, Nevada, Case No. A493744-C (Apr. 16, 2013) Successfully opened courtroom to the press on First Amendment grounds.
- *Righthaven LLC v. Hoehn*, 716 F.3d 1166 (9th Cir. 2013) Successful appeal defending against copyright troll on standing grounds.
- *Rakofsky v. Washington Post*, 971 N.Y.S.2d 74, 2013; 41 Media L. Rep. 1863 (N.Y. 2013) Successful defense of multiple bloggers in defamation case.
- *Katz v. Chevaldina*, 900 F. Supp. 2d 1314 (S.D. Fla. 2012) Represented defendant in copyright fair use case
- *AIRFX.com v. AirFX*, 2012 U.S. Dist. LEXIS 31541, 2012 WL 780941 (D. Ariz. 9 Mar. 2012) Represented domain owner in attempted seizure of domain name.
- *Liberty Media Holdings v. Vinigay.com*, 2012 U.S. Dist. LEXIS 24978, 2012 WL 641579 (D. Ariz. 28 Feb. 2012) Copyright case
- *Sanchez v. Joel*, 94 So. 3d 594 (Fla. 2d DCA 2012) Unsuccessful appeal in First Amendment case
- *Liberty Media Holdings, LLC v. BitTorrent Swarm*, 277 F.R.D. 669 (S.D. Fla. 2011) Secured early discovery in a copyright infringement case against anonymous defendants.
- *Righthaven v. Hoehn*, 792 F. Supp. 2d 1138 (D. Nev. 2011) Successful defense in copyright infringement case on fair use grounds.
- *Righthaven v. Wolf*, 813 F. Supp. 2d 1265 (D. Colo. 2011) Successful defense of copyright troll case on standing grounds.
- *Doe v. Fry*, 22 Fla. L. Weekly 378, (M.D. Fla. 2010) Successfully represented revenge porn victim
- *Ricks v. BMEzine.com*, 727 F. Supp. 2d 936 (D. Nev. 2010) Prevailed at summary judgment in cybersquatting case.
- *Internet Solutions v. Marshall*, 39 So. 3d 1201 (Fla. 2010) Case establishing the long-arm jurisdiction for Florida defamation defendants.
- *Internet Solutions v. Marshall*, 611 F.3d 1368 (11th Cir. 2010) Prevailed in defending blogger in First Amendment case on jurisdictional grounds (after remand)
- *Internet Solutions v. Marshall*, 557 F.3d 1293 (11th Cir. 2009) Prevailed in defending blogger in First Amendment case on jurisdictional grounds (after remand)
- *Solid Host, NL v. Namecheap, Inc.*, 652 F. Supp. 2d 1092 (C.D. Cal. 2009) Successfully secured TRO to save internet company's business.

- *Porter v. Bowen*, 496 F.3d 1009 (9th Cir. 2007)
(Not counsel in case, but my law review article was cited in the decision)
- *Salle v. Meadows*, 2007 U.S. Dist. LEXIS 92343, 2007 WL 4463920 (M.D. Fla. Dec. 17, 2007)
Successfully represented a cybersquatting victim.

ADMITTED TO PRACTICE

States

- Massachusetts (2002)
- Florida (2003)
- California (2010)
- Arizona (2010)
- Nevada (2012)

Federal Courts

- United States Supreme Court
- 1st Circuit Court of Appeals
- 4th Circuit Court of Appeals
- 6th Circuit Court of Appeals
- 7th Circuit Court of Appeals
- 9th Circuit Court of Appeals
- 10th Circuit Court of Appeals
- 11th Circuit Court of Appeals
- U.S. Court of Appeals for the Federal Circuit
- U.S. District Court - District of Arizona
- U.S. District Court - Northern District of California
- U.S. District Court - Eastern District of California
- U.S. District Court - Central District of California
- U.S. District Court - Southern District of California
- U.S. District Court - District of Colorado
- U.S. District Court - Middle District of Florida
- U.S. District Court - Northern District of Florida
- U.S. District Court - Southern District of Florida
- U.S. District Court - Northern District of Ohio
- U.S. District Court - District of Massachusetts
- U.S. District Court - Eastern District of Michigan
- U.S. District Court - District of Nevada
- U.S. District Court - Northern District of Texas
- U.S. District Court - Eastern District of Wisconsin